



Board of Election Commissioners for the City of Chicago

MINUTES Regular Board Meeting

January 23, 2018, 9:30 a.m.

69 West Washington Street, 8th Floor Conference Room, Chicago, Illinois 60602

Board Members:

Marisel A. Hernandez, Chairwoman
William J. Kresse, Commissioner/Secretary
Jonathan T. Swain, Commissioner

Staff:

Lance Gough, Executive Director
Adam W. Lasker, General Counsel
Charles Holiday, Assistant Executive
James P. Allen, Communications Director
Bill Perez, Coordinator Hispanic Outreach
Lorel Blameuser, Purchasing Agent
Peter Peso
Pawel Faryjewicz
Clinton Hurde
Gary Ryczyn
Michal Czech, Videographer
Trish Sheehy

Guests:

Helene Gabelnick, League of Women Voters of Chicago
Delores Moss, Contractor
Judd Ryan, ES&S
C. Betty Magness, Rainbow PUSH Coalition
Brent Pruim, Pilsen Alliance
Michael Kreloff, Attorney for Northside Action for Justice
Mark Kaplan, Northside Action for Justice

- I. Call to Order 9:36 a.m.
- II. Roll Call
- III. Consideration of Agenda: no change
- IV. Approval of Minutes:
 - A. Minutes of the Regular Board Meeting of December 26, 2017. Commissioner Swain made a motion to approve the Minutes of the Regular Board Meeting of December 26, 2017. Commissioner Kresse seconded the motion. The motion to

**Board of Election Commissioners for the City of Chicago
Regular Board Meeting Minutes of January 23, 2018**

approve was passed by a 3:0 vote of the Board

V. Executive Director's Report

Executive Director Gough reported that:

- There was a Pretrial Detainees Logistics meeting on Monday at which General Counsel Lasker, Mr. Gough and staff attended. Because we are going to do something that no other Illinois jurisdiction is doing, we are going to put it in writing and meet with the State Board of Elections (ISBE) to help other Illinois jurisdictions get on the same page.
- There will be a meeting with the FBI at 2:00 Thursday to discuss cyber-security.
- Mr. Gough introduced Mr. Gary Ryczyn who had a sample of the ballot and other ballot information to present.
- Mr. Ryczyn:
 - Mr. Ryczyn stated that we have worked with the Cook County Clerk's Election Department to work out the ballots and positions. The related numbers will not change even if a candidate is removed; the number will be removed, but we do not renumber the file. While there are still a few Cook County Officers Electoral Board and Judicial Review cases to be decided, those positions will mostly stay the same.
 - Mr. Ryczyn provided the Commissioners with a draft of a ballot layout for the Democratic, Republican and Non Partisan ballots.
 - Presently there are 369 ballot formats for the City of Chicago; thus, 369 ballot styles/codes/formats for each, Democratic Primary, Republican Primary and Non-Partisan.
 - Democratic ballots average 36 contests. One of the largest will have about 40 contests.
 - Republican average 34-38 contests, with referenda.
 - Currently there are four cases in judicial review, including Attorney General.
 - The cases still before the Cook County Officers Electoral Board (CCOE) are mostly Democratic county-wide and judicial offices – most impact Chicago.
 - Hoping this week or early next week to begin Republican and Non Partisan production.
 - Worked with the County re write-ins; as we don't know exactly how many will stay on or off, we added lines
 - Started referenda and office title audio recordings. Hopefully next week will start candidates and numbers to update touch screen chips

Mr. Gough requested permission to begin printing – Board so authorized without objection.

A. Assistant Executive Director

Assistant Executive Director Holiday reported:

- We completed all of our Records Exams including Judicial cases for the County and Representatives in the General Assembly (RGA) on Sunday.
- 120,000 registration changes are being processed

**Board of Election Commissioners for the City of Chicago
Regular Board Meeting Minutes of January 23, 2018**

B. Communications Director

Communications Director Allen reported:

- Copies of the new Judge of Election Handbooks were provided to Commissioners. Compliments to Audra Lewicki, Jane Ignacio, the League of Women Voters (LWV) and Literacy Works for the product. The new Handbooks have less election jargon and will be easier to understand.
- Currently working on: sample ballots for display online, military and overseas voting program, a mailer piece, and the high school outreach programs.

VI. Old Business

A. Infrastructure Projects and Changes in Election Administration: currently addressing these.

B. Electronic Poll Books: Mr. Judd Ryan of ES&S reported that new enhancements are in the process of being uploaded, starting with training units.

C. Voting Equipment: on hold until after this election.

D. Legislation: State legislature is back in session, but nothing to report at this time.

VII. New Business

A. Property Use Agreement between Walgreen Co., an Illinois corporation ("Walgreens") and the Board of Election Commissioners for the City Of Chicago for use of 16 West Adams as an Early Voting site.

The City electricians are going to start next week on this site. Dean Ftikas is working on obtaining the necessary permits.

We will have signage at old Loop site at 15 W Washington and use social media notices to direct people to the new site.

A Motion by Commissioner Swain to authorize Mr. Gough to execute the agreement with a term of January 23, 2018 through March 31, 2018 with a 1-time payment of \$50,000 was seconded by Commissioner Kresse and approved by unanimous vote of the Board.

B. Professional Service Agreement between the Chicago Board of Elections and Deborah K. Moss.

Mr. Gough explained that Supervisor of Polling Places Valerie Irons has retired. We are looking to fill that vacancy, but with everything going on with Accessibility we need someone with Ms. Moss' experience now.

Commissioner Kresse moved to approve the Professional Service Agreement with Deborah K. Moss at a rate of \$40/hour not to exceed \$80,000 for services to bring polling places into ADA compliance. Commissioner Swain seconded the motion. The motion was approved by unanimous vote of the Board

C. Public hearings as requested by the following referendum proponents pursuant

Board of Election Commissioners for the City of Chicago
Regular Board Meeting Minutes of January 23, 2018

to Section 500.11 of the Board's General Rules on Administration for reconsideration of Board action taken pursuant to 10 ILCS 5/10-8:

1. Request for reconsideration - Petition for an advisory referendum in Ward 1, Precinct 1, submitted by Mark Kaplan on behalf of Northside Action for Justice.

Attorney Michael Kreloff present, representing the Northside Action for Justice in this matter. Mr. Mark Kaplan a proponent of the referenda was also present.

Chairwoman Hernandez requested clarification from General Counsel Lasker. Mr. Lasker stated that the Board had previously voted in open session finding that these petitions were "not in apparent conformity with the Election Code and therefore the Question would not be certified".

The Chairwoman further clarified that Mr. Kreloff had requested to come before the Board regarding this issue. Mr. Kreloff affirmed that he was here today, because he was out of town on the other date, and that Mr. Lasker offered him this alternative.

Mr. Kreloff presented his arguments requesting the Board reconsider its ruling that the petition was not in apparent conformity.

Mr. Lasker then spoke on the subject.

Commissioner Swain moved to affirm the Board's previous decision that the petition was not in apparent compliance.

The Chairwoman expressed concern about timing of Judicial Review if a motion were made. Mr. Lasker stated that this is not a Judicial Review under Section 10-10.1 of the Election Code, because it was not an Electoral Board decision. Commissioner Kresse stated that they were acting in their capacity as the Chicago Board of Election Commissioners, not as the Electoral Board and that the Commissioners have made a decision on the lack of apparent conformity. Commissioner Kresse stated that he was not going to make a motion and would let the Board's previous motion stand.

Commissioner Swain withdrew his motion, as no motions are necessary. Chairwoman Hernandez agreed with Commissioner Kresse's rationale and the previous decision stands.

2. Petition for an advisory referendum in Ward 25 submitted by Javier Ruiz on behalf of Pilsen Alliance.

Attorney Brent Pruim, representing Pilsen Alliance (substituting for Ed Mullins) presented his arguments requesting the Board reconsider its ruling that the petition was not in apparent conformity.

Mr. Lasker then spoke on the subject.

Board of Election Commissioners for the City of Chicago
Regular Board Meeting Minutes of January 23, 2018

The Commissioners indicated that they agreed with the General Counsel and would let the original decision in this case stand.

VIII. Legal Report

General Counsel Lasker stated that Mr. Gary Ryczyn had already given a good summary of the Judicial Review cases. Mr. Lasker added that there are two public lawsuits that could affect the ballots. As we speak, our Deputy General Counsel is at Federal Court in one such case. There are some candidates for countywide offices that are challenging the Constitutionality of the signature requirements that apply to their offices. Additionally, there was another case filed yesterday involving a write-in candidate for the Water Reclamation District that is in state court. While we have budgeted a write-in line on the ballot, it could affect the other candidates for that office.

IX. Financial Report

A. Commissioner Kresse moved to approve the Balance Sheet and Voucher Listings for the City of Chicago – 2017 Appropriation – 17-12 dated January 23, 2018 in the amount of \$198,603.68. Commissioner Swain seconded the motion and the motion was approved by unanimous vote of the Board.

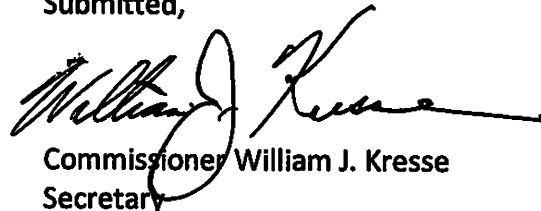
X. Public Comment: None

XI. Executive Session: None

XII. Adjournment: Commissioner Swain moved to adjourn until the next Regular Board Meeting of February 13, 2018 or to the call of the Chair. Seconded by Commissioner Kresse and passed by unanimous vote of the Board.

The meeting was adjourned at 10:21 a.m.

Submitted,



Commissioner William J. Kresse
Secretary